

Prison Overcrowding

By Senators Ben Hueso and Marty Block

A federal court order has created a crisis in California prisons. While the clock is ticking rapidly, Democratic and Republican legislative leaders and the governor now stand together behind a long term solution to chronic overcrowding in our prisons.

After years of litigation, and despite successful realignment policies that have reduced our state prison population by some 35,000 inmates, the court is demanding more. We now face a deadline to lower the population by almost 10,000 within the next four months. We all agree that early releases of inmates are not an option. Public safety is a top priority, but for too long California has overspent money on simply incarcerating offenders. Gov. Jerry Brown remarked in January that spending any more on incarceration was “throwing money down a rathole.”

Currently, we spend \$50,000 each year to incarcerate one offender. That’s five times what we spend per pupil on K-12 education. That’s not including the \$1.2 billion we approved six years ago to construct more jails, or the additional \$500 million the state authorized to build local correctional facilities.

Despite the investment, almost seven out of every ten prisoners released after serving their sentences soon find themselves back in the system. With this high rate of recidivism, our correctional system has an ever-growing prison population. Our proposed solution addresses this issue and invests in more treatment for mental health and substance abuse, job training and other programs that minimize the revolving prison door. Any savings not required for expanding capacity, up to the first \$75 million, will go toward lowering recidivism.

In addition, we add \$100 million to a successful performance-based grant program already in place. Under SB 678 (Leno, 2009), taxpayers have saved more than \$500 million, and we’ve sent 9,600 fewer people to prison by giving incentives to counties that reduced the number of felony probationers who reoffended.

The longer the deadline extension granted by the court, the more opportunity we have to forge this durable solution of reducing recidivism. However, if the extension is rejected, then the state will implement the Governor's original plan to expand prison capacity by leasing prison space, including out-of-state and private space. Our compromise plan maintains our shared commitment to avoid any early release of inmates. It also allows us to focus on issues, such as education, that Californians – especially San Diegans – have made their top priorities.

This crisis presents an opportunity. We can avoid the Band-Aid solution of renting more prison cells, and instead create a critical shift in California’s corrections and criminal justice systems. The court has repeatedly said California needs to present a durable solution to prison overcrowding. A durable long term solution is what we offer, and we urge the court to grant our extension.

Senator Ben Hueso represents the 40th Senate District which includes the cities of Chula Vista, National City, Imperial Beach, Coronado, a portion of the City of San Diego, Imperial County and the southern part of Riverside.

Senator Marty Block represents the 39th Senate District which includes the cities of San Diego, Del Mar, Solana Beach and Coronado.